

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants: **Arunachalam et al.** Case: **Arunachalam 7-18-4-4-1**
Serial No.: **09/303,718** Examiner: **Unknown**
Filed: **April 30, 1999** Group Art Unit: **2662**
Title: **SCALABLE HIGH SPEED ROUTER APPARATUS**

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
BASED ON FAILURE TO RECEIVE OFFICE ACTION

VIA FACSIMILE 703-872-9306
Commissioner for Patents
P.O. Box 1450
Technology Center 2600
Alexandria, VA 22313-1450

1. On August 5, 2003, by facsimile, Applicants filed an Associate Power of Attorney/Change of Correspondence Address (hereinafter "Power"), in favor of the Attorneys/Agents of Moser, Patterson & Sheridan, LLP, Attention: Eamon J. Wall, Esq., for this application. Copies of the Power and the PTO's Auto-Reply Facsimile Transmission receipt are attached.

2. Status inquiries were filed on August 6 and October 3, 2003. Copies of the PTO Auto-Reply Facsimile Transmission receipts are attached.

3. On November 13, 2003, Applicants' attorneys received a Notice of Abandonment of this application (mailed on November 10, 2003) for failure to timely file a proper reply to the Office letter mailed on June 5, 2002.

4. Eamon J. Wall is the attorney responsible for this application. His assistant, Laura E. Crater, who receives and processes his mail was out on November 14, 2003. She returned to the office on November 17, 2003, processed the Notice of Abandonment, and delivered it to Mr. Wall.

5. On November 18, 2003, per Mr. Wall's instructions, Ms. Crater called the offices of Keith D. Nowak, Esq. Before the filing of the Associate Power of Attorney/Change of Correspondence Address on August 5, 2003, Mr. Nowak was correspondent.

6. Ms. Crater was advised that Mr. Nowak was out of town and would return to his office on November 24, 2003. She left him a message about the abandonment and requested that he return her call.

7. Not having heard from Mr. Nowak, Ms. Crater e-mailed him on November 26, 2003 confirming the abandonment and again requesting that he contact her.

8. Mr. Nowak's assistant, Clara-Jean Castle, contacted Ms. Crater on November 26, 2003. She advised that according to her records the June 5, 2002 Office Action had not been received. Ms. Crater requested that Ms. Castle provide a declaration to support applicants' petition for withdrawal of the holding of abandonment based on Failure to Receive Office Action (MPEP 711.03(c) II). The declaration was received on December 10, 2003 and is submitted herewith in support of this petition.

9. Applicants respectfully request withdrawal of the holding of abandonment and remailing of the Office Action.

10. Although applicants do not believe that any fee is due in connection with this Petition, if applicants are incorrect, the Commissioner is authorized to charge any fee due to Deposit Account No. 20-0782. To facilitate such charge, a duplicate copy of this Petition is attached.

Respectfully submitted,



EAMON J. WALL, REG. #39,414
MOSER, PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
Telephone: 732-530-9404
Facsimile: 732-530-9808

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicants: **Arunachalam et al.** Case: **Arunachalam 7-18-4-4-1**
Serial No.: **09/303,718** Examiner: **Unknown**
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Title: **SCALABLE HIGH SPEED ROUTER APPARATUS**

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Commissioner for Patents
P.O. Box 1450
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MOSER, PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue, Suite 100
Shrewsbury, New Jersey 07702
Telephone: 732-530-9404
Facsimile: 732-530-9808

USPTO 8/5/03 7:07 PAGE 1/1 RightFAX
 Auto-reply fax to 732 530 9808 COMPANY:

Auto-Reply Facsimile Transmission



UNITED STATES
 PATENT AND
 TRADEMARK OFFICE

TO:

Fax Sender at 732 530 9808

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Received
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08/05/03 18:10 FAX 732 530 9808		MOSER PATTERSON SHERIDAN		0001/001	
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE					
PATENT APPLICATION					
Applicant(s):	R. ARUNACHALAM, S1 AL				
Case:	ARUNACHALAM 7-18-4-1				
Serial No.:	09/303,718	Filed:	4/30/99		
Examiner:	UNKNOWN	Group Art Unit:	2701		
Title:	SCALABLE HIGH SPEED ROUTER APPARATUS				
ASSOCIATE POWER OF ATTORNEY/ CHANGE OF CORRESPONDENCE ADDRESS					
COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450					
S I R:					
I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.					
 Gregory A. Muggia Registration No. 41,209 Telephone: 732-845-3578 Attorney for Applicant(s)					
Received from 732 530 9808 on 08/05/03 7:07:13 PM Eastern Daylight Time					

12/11/03 09:34 FAX 732 530 9808
08/05/03 18:11 FAX 732 530 9808

MOSER PATTERSON SHERIDAN
MOSER PATTERSON SHERIDAN

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001

*** TX REPORT ***

TRANSMISSION OK

TX/RX NO	0054	
CONNECTION TEL		17038729314
SUBADDRESS		
CONNECTION ID		
ST. TIME	08/05 18:10	
USAGE T	00'52	
PGS. SENT	2	
RESULT	OK	

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION

Applicant(s): R. ARUNACHALAM, ET AL.
Case: ARUNACHALAM 7-18-4-4-1
Serial No.: 09/303,718 Filed: 4/30/99
Examiner: UNKNOWN Group Art Unit: 2731
Title: SCALABLE HIGH SPEED ROUTER APPARATUS

ASSOCIATE POWER OF ATTORNEY/
CHANGE OF CORRESPONDENCE ADDRESS

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.



IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

PATENT APPLICATION


Applicant(s): R. ARUNACHALAM, ET AL.
Case: ARUNACHALAM 7-18-4-4-1
Serial No.: 09/303,718 Filed: 4/30/99
Examiner: UNKNOWN Group Art Unit: 2731
Title: SCALABLE HIGH SPEED ROUTER APPARATUS

**ASSOCIATE POWER OF ATTORNEY/
CHANGE OF CORRESPONDENCE ADDRESS**

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:

I hereby appoint the attorney(s) on ATTACHMENT A as associate attorney(s) in the aforementioned application, with full power solely to prosecute said application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected with the prosecution of said application. No other powers are granted to such associate attorney(s) and such associate attorney(s) are specifically denied any power of substitution or revocation.



Gregory J. Murgia
Registration No. 41,209
Telephone: 732-949-3578
Attorney for Applicant(s)

ATTACHMENT A

Attorney Name(s): Attorneys and/or Agents of CUSTOMER #26,291; and
David W. Herring, Jr., Reg. No. P-51,069
Matthew J. Hodulik, Reg. No. 36,164
John B. MacIntyre, Reg. No. 41,170
John F. McCabe, Reg. No. 42,854
Steven R. Santema, Reg. No. 40,156
David A. Sasso, Reg. No. 43,084
Ozer M. N. Teitelbaum, Reg. No. 36,698

Telephone calls should be made to EAMON J. WALL at:

Phone No.: 732-530-9404

Fax No.: 732-530-9808

All written communications are to be addressed to:

**CUSTOMER #26,291
MOSER, PATTERSON & SHERIDAN, LLP
595 Shrewsbury Avenue
Suite 100
Shrewsbury, New Jersey 07702
Attention: Eamon J. Wall**

USPTO
Auto-reply fax to 732 530 9808 COMPANY:

8/6/03 1:14 PAGE 1/1 RightFAX

Auto-Reply Facsimile Transmission



UNITED STATES
PATENT AND
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TO:

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08/06/03 1:12 FAX 732 530 9808		MOSER PATTERSON SHERIDAN		0091
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE PATENT APPLICATION				
Applicant(s):	R. ARUNACHALAM, ET AL.			
Case:	ARUNACHALAM 7-18-4-1			
Serial No.:	09/00,716	Filed:	4/30/99	
Examiner:	UNKNOWN	Group Art Unit:	2731	
Title:	SCALABLE HIGH SPEED ROUTER APPARATUS			
STATUS INQUIRY				
COMMISSIONER FOR PATENTS P.O. Box 1460 Alexandria, VA 22313-1460				
S I R:				
Please advise the anticipated date of the first action in this application.				
A copy of a recently submitted ASSOCIATE POWER OF ATTORNEY/CHANGE OF CORRESPONDENCE ADDRESS is attached.				
Respectfully submitted,				
 EAMON J. WALL, REG. #30,414 MOSER, PATTERSON & SHERIDAN, LLP 195 Shrewsbury Avenue, Suite 100 Shrewsbury, New Jersey 07702 Telephone: 732-530-8404 Facsimile: 732-530-8808				
ANTICIPATED DATE OF FIRST ACTION _____				
Received from: 732 530 9808 at 08/06/03 1:12:18 PM [Eastern Daylight Time]				

10/06/03 07:05:57

USPTO->

+17325309808 P: 1 FAX

Page 001

TO: Auto-reply fax to 732 530 9808 COMPANY:

Auto-Reply Facsimile Transmission



UNITED STATES
PATENT AND
TRADEMARK OFFICE

TO:

Fax Sender at 732 530 9808

Fax Information

Date Received:

Total Pages:

10/6/03 7:03:40 AM [Eastern Daylight Time]
1 (including cover page)

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Page

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10/06/03 07:05:57 FAX 732 530 9808		MOSER PATTERSON SHERIDAN		011	
<p>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</p> <p>PATENT APPLICATION</p>					
Applicants:	Arushchalam et al.	Case:	Arushchalam 7-18-4-4-1		
Serial No.:	09/203,719	Examiner:	Unknown		
Filed:	April 30, 1999	Group Art Unit:	2731		
Title:	SCALABLE HIGH SPEED ROUTER APPARATUS				
<p>Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p>					
S I R:					
STATUS LETTER					
Please provide the anticipated date of the first Office Action.					
Respectfully submitted,					
 Eamon J. Wall, Attorney Reg. No. 36,414 (732) 530-8404					
Moser, Patterson & Sheridan, LLP 595 Rutherford Avenue, Suite 100 Shrewsbury, NJ 07702					
ANTICIPATED DATE OF FIRST OFFICE ACTION _____					

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DEC 11 2003

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant: R. Arunachalam, V.P. Kumar, S.R. Rathnavelu, D. Stiliadis
Serial No.: 09/303,718
Filed: April 30, 1999
For: SCALABLE HIGH SPEED ROUTER APPARATUS
Group Art Unit: 2731

OFFICIAL

DECLARATION OF CLARA J. CASTLE

U.S. Patent and Trademark Office
Washington, D.C. 20231

Dear Sir:

I, Clara J. Castle, declare that:

1. I was the patent docketing specialist in the employ of Lieberman & Nowak LLP ("L&N"). I had been so employed from approximately February 1, 1981 to January 31, 2003.
2. One of my responsibilities at L&N was to open mail received from the U.S. Patent and Trademark Office ("USPTO") and to record and docket the received mail based on its application serial number.

3. I did not receive the June 5, 2002 Office Action for the above-captioned patent application.

4. On February 1, 2003, we moved our offices and the Notice of Abandonment mailed on February 10, 2003 was not received.

5. To the best of my knowledge, no one at L&N received an Office Action or Notice of Abandonment for the above-captioned patent application.

6. If I or any other person employed by L&N had received the Office Action mailed June 5, 2002, that Office Action would have been entered into L&N's docket records for a response due on September 5, 2002, and a six month deadline of December 5, 2002.

7. Therefore, the fact that the Office Action mailed June 5, 2002 does not appear in L&N's docket record for September 5, 2002 or December 5, 2002 (copy attached as Exhibit A) indicates that L&N did not receive that Office Action.

I am aware that willful false statements and the like are punishable by fine or imprisonment, or both under 18 U.S.C. 1001 and may jeopardize the validity of the instant

application or any patent issuing thereon. I certify that all statements made of my own knowledge are true and all statements made on information and belief are believed to be true.

Dated: December 10, 2003

Respectfully submitted,

By Clara J. Castle
Clara J. Castle

PATENT DOCKET

Due /Last Date /Date	File Number	Client	Country	Action	Compl. Date
SEPTEMBER 2002					
9/1 JKK	10661-2	DCT	Australia	Search reports	Not needed
9/1 JKK	10807-3	DCT	Australia	Search reports	Not needed
9/1 JKK	11044	Lucent	Japan	Office Action	9/9
9/4 JKK	11201	Brilliant	U.S.	File off Provisional by 10/4	
9/4 CJC	11200	Jacob	Foreign Filing due 10/4		
9/4 JKK	11201	Brilliant	File off Provisional		10/4
			& For. Fil. Due		none per kdn
9/4 CJC	11200	Jacob	U.S.	BASE ISSUE FEE	done
9/7 CJC	11170	Hoberman	PCT	Demand Chapter II due	8/29
9/8 CJC	11205	McNerney	Foreign Filing Due 11/8		
9/9 CJC	11206	Hoppy	File off Prov. & Ff Due 11/9		done
9/11 WRM	4021-099	Catalyst	U.S.	Appeal Brief	9/10
9/11 KDN	11155	Hoberman	U.S.	Office Action	9/10
9/12 JKK	10875	eNexus	China	Office Action	9/23
9/15 CJC	10874	Canada	eNexus	Examination	done
9/17 JKK	11055	Lucent	BPA	Office Action	Proceeding to issue
9/18 CJC	11173	Grandoe	Foreign Filing Due 10/18		
9/19 KDN	11165	Hoppy	U.S.	Rest. Req.	9/9/02
9/19 CJC	11198	Mashkabov	FOREIGN FILING DUE		none
9/19 BS	10652	Safas	Canada	Office Action	done
9/19 WM	4021-099	Catalyst	U.S.	SIX MONTH DEADLINE	
9/20 CJC	11168-1	Catalyst	Foreign Filing Due 11/20		
9/20 JKK	11177	Jones	U.S.	Office Action (Final)	
9/21 JKK	11199	Wilson	FILE OFF PROVISIONAL& FOR. FIL.		Abandoned
9/21 JKK	10875	eNexus	EPO	Instructions	9/17
9/23 CJC	10874	eNexus	EPO	Grant Fees	done
9/26 JKK	11207	Hoberman	F.f. & File off Provisional Due 11/26		

Due /Last File Date /Date Number	Client	Country	Action	Compl. Date
<u>DECEMBER 2002</u>				
12/6 CJC 10822-1	Safas	Korea/PCT	Examination	1/4/02
12/7 JKK 11170	Hoberman	U.S.	Prov. & FF Due 2/7	
12/7 CJC 11176	Catalyst	U.S.	BIF DUE 1/7	
12/9 CJC 11174	Catalyst	U.S.	BIF & DWS. DUE	12/6
12/11 WRM	11142	Catalyst	U.S.	Office Action
12/11 WRM	11143	Catalyst	U.S.	Office Action
12/13 JKK 11217	Brilliant	File off prov. & ff due 2/13		
12/14 CJC 4021-115.	Catalyst	Foreign Filing Due 2/14		
12/15 JKK 11169	Brilliant	U.S.	Foreign filing & file off provisional due 2/15	
12/16 JKK 11132	Real Advisor	U.S.	Office Action	1/9
12/27 CJC 11169	Catalyst	U.S.	BIF DUE	Done
12/28 JKK 11214	Merritt	Foreign Filing Due 2/28		

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595 Shrewsbury Ave, Suite 100
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OFFICIAL**FACSIMILE COVER SHEET**

THIS MESSAGE HAS 16 PAGES INCLUDING THIS SHEET

TO: Commissioner for Patents
FAX NO.: 703-872-9306
FROM: Eamon J. Wall
DATE: 12/11/03
MATTER: Serial No. 09/303,718 Filed: 4/30/99
DOCKET NO.: ARUNACHALAM 7-18-4-4-1
APPLICANT: Arunahalam et al.

The following has been received in the U.S. Patent and Trademark Office on the date of this facsimile:

<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Transmittal Letter (2 copies)
<input type="checkbox"/> Disclosure Statement & PTO-1449	<input type="checkbox"/> Fee Transmittal (2 copies)
<input type="checkbox"/> Priority Document	<input checked="" type="checkbox"/> Deposit Account Transaction
<input type="checkbox"/> Drawings (___ sheets) informal	<input checked="" type="checkbox"/> Facsimile Transmission Certificate
<input checked="" type="checkbox"/> Declaration of Clara J. Castle	dated 12/11/03

CERTIFICATE OF TRANSMISSION UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being transmitted by facsimile to the Commissioner for Patents, Alexandria, VA 22313-1450 on 12/11/03, Facsimile No. 703-872-9306

LAURA E. CRATER
Name of person signing this certificate

Laura E. Crater 12/11/03
Signature and date

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Moser, Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

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